

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 97-CR-90045  
HON. GEORGE CARAM STEEH

DENNIS JOHNSON,

Defendant.

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ORDER DENYING MOTION TO EXPUNGE (#22)

Defendant Dennis Johnson moves to expunge his criminal record and 1998 plea-based conviction on one felony count of bank larceny in violation of 18 U.S.C. § 2113(b). In support of his motion, Johnson maintains that he has since earned a bachelor's degree in mathematics, is pursuing a master's degree, and wishes to teach high school mathematics in the future. Johnson asserts he cannot teach high school math if his record is not expunged.

The Sixth Circuit has recognized that federal courts enjoy inherent power to expunge criminal records in an appropriate case. United States v. Doe, 556 F.2d 391, 393 (6th Cir. 1977); United States v. Vertel, No. 91-CR-126, 2006 WL 250627, at \*1 (W.D. Mich. Jan. 31, 2006) (quoting United States v. Doe, 556 F.2d 391, 393 (6th Cir. 1977)). Generally, courts have exercised their discretion to expunge a criminal record only with respect to invalid convictions. Vertel, 2006 WL 250627, at \*1-\*2 (citing United States v. Robinson, No. 94-1945, 1996 WL 107129, at \*1-\*2 (6th Cir. March 8, 1996)). Expungement of a criminal

record is normally warranted under only such extraordinary circumstances. Geary v. United States, 901 F.2d 679, 680 (8th Cir. 1990).

Defendant Johnson neither challenges the validity of his plea-based conviction, nor otherwise presents extraordinary circumstances. Accordingly,

Defendant's motion to expunge is hereby DENIED.

SO ORDERED.

Dated: May 9, 2007

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on  
May 9, 2007, by electronic and/or ordinary mail.

s/Josephine Chaffee  
Deputy Clerk